

## 37 Am. Jur. 2d Fraud and Deceit § 44

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### Fraud and Deceit

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### III. Means of Perpetration

#### A. In General

## § 44. Fraudulently procuring judgment

[Topic Summary](#) | [Correlation Table](#) | [References](#)

### West's Key Number Digest

West's Key Number Digest, [Fraud](#)  27, 28

Where a judgment has been set aside for fraud in its procurement,<sup>1</sup> and the plaintiff can prove damage suffered on account of the obtaining of such judgment by fraud, an action may then be maintained for such damages.<sup>2</sup>

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### Footnotes

<sup>1</sup> [Am. Jur. 2d, Judgments § 19.](#)

<sup>2</sup> [Schlotthauer v. Sanders, 153 A.D.2d 729, 545 N.Y.S.2d 196 \(2d Dep't 1989\).](#)

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